

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION**

IN RE:  
James Elliott Vane

Case No. 16-50303

Chapter 13

SSN# : XXX-XX-1298 DEBTOR

**MOTION OF TRUSTEE TO DISMISS CASE**

The undersigned Trustee in the above-referenced Chapter 13 case hereby moves the Court to dismiss the case, for the following reason(s):

**Plan payments are currently in default.**

A Preliminary Hearing will be held on this motion as shown on the attached Notice, at which the Trustee will recommend to the Court to grant a variety of relief options in this case, including but not limited to dismissing the case, extending or reducing the term of the plan, reducing or increasing the plan payment, granting a moratorium on missed payments, granting a future default provision, allowing for a fee to the debtor's attorney for representation at the hearing, or granting any other such relief which the Court determines to be necessary and appropriate.

Dated: 7/21/2021

Steven G. Tate  
Chapter 13 Trustee

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

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Chapter 13

SSN#: XXX-XX-1298 DEBTOR

**NOTICE OF PRELIMINARY HEARING**

The Chapter 13 Trustee has filed papers in the bankruptcy case for the debtor named above, and will bring before the Court a preliminary hearing on the Motion to Dismiss Case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.**

1. If you **DO NOT** want the Court to grant the relief requested by the Trustee, or if you want the Court to consider your views, then by 8/8/2021, you or your attorney must file with the Court a written response at the following address:

Clerk, U.S. Bankruptcy Court  
401 W Trade St, Suite 2500  
Charlotte, NC 28202

2. If you **mail** your response to the Court for filing, you must mail it early enough for the Court to **receive** it on or before the deadline stated above.

3. On or before the date stated above for written responses, you must also serve a copy of your response on any other party required to be served by law.

A preliminary hearing will be held at the following time and place:

Date: 8/16/2021 Time: 3:30 PM

Location: Chapter 13 Bankruptcy Office  
212 Cooper Street  
Statesville, NC 28677-5856

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought and may enter an order granting that relief. If a response is made and the motion is not resolved by consent at the preliminary hearing, a hearing before the Court will be scheduled.

Dated: 7/21/2021

Steven G. Tate, Chapter 13 Trustee  
212 Cooper St  
Statesville, NC 28677-5856  
(704) 872-0068 | general@ch13sta.com

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**CERTIFICATE OF SERVICE**

The parties whose names and addresses are listed below were served by United States first class mail, postage prepaid on 7/21/2021.

J. Safley  
Office of the Chapter 13 Trustee

Aaron R Anglin, Aldridge Pite LLP, 4375 Jutland Drive Suite 200, PO Box 17933, San Diego, CA 92177-0933  
Aldridge Pite LLP, 3575 Piedmont Road NE Suite 500, Atlanta, GA 30305  
Ally Financial, PO Box 130424, Roseville, MN 55113-0004  
BB&T-BR DEPT, PO BOX 1847, WILSON, NC 27894-1847  
CATAWBA CO CLERK OF CT, PO BOX 790, NEWTON, NC 28658  
CHEXSYSTEMS COLLECTION AGENCY, 7805 HUDSON RD STE 100, SAINT PAUL, MN 55125-1595  
Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346  
James Elliott Vane, 1110 Cornstalk Ln, Catawba, NC 28609-8056  
Lake Norman Anesthesia Associates, Attn Corp Officer, 146 Medical Park Rd Ste 108, Mooresville, NC 28117-8529  
Lake Norman Regional, 171 Fairview Rd, PO Box 3250, Mooresville, NC 28117  
Nationstar Mortgage, 8950 Cypress Waters Blvd, Coppell, TX 75019  
RAS Crane LLC, Bankruptcy Department, 10700 Abbott's Bridge Road Ste 170, Duluth, GA 30097  
SELECT PORTFOLIO SERVICING INC, PO BOX 65250, SALT LAKE CITY, UT 84165-0250  
Shapiro & Ingle LLP, 10130 Perimeter Pkwy Ste 400, Charlotte, NC 28216-2442  
Travis Menk, Brock & Scott PLLC, 8757 Red Oak Blvd Suite 150, Charlotte, NC 28217  
Wells Fargo Bank NA dba Wells Fargo, PO Box 19657, Irvine, CA 92623-9657

Total Served: 16